

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

1

The Minutes

July 9, 2007

- C050553 THE PEOPLE v. VERA (Not for Publication)**
The judgment is affirmed.
CANTIL-SAKAUYE, J.
We Concur: Blease, Acting P.J.
Butz, J.
- C051226 THE PEOPLE v. ILSUNG (Not for Publication)**
The judgment is reversed.
ROBIE, J.
We Concur: Blease, Acting P.J.
Hull, J.
- C051387 THE PEOPLE v. CARRANZA (Not for Publication)**
The judgment is affirmed.
ROBIE, J.
We Concur: Raye, Acting P.J.
Butz, J.
- C053248 THE PEOPLE v. MANIORD (Not for Publication)**
The appeal is dismissed.
BUTZ, J.
We Concur: Hull, Acting P.J.
Robie, J.
- C053165 THE PEOPLE v. SHANK**
BY THE COURT:
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.
- C055455 THE PEOPLE v. GUTIERREZ**
BY THE COURT:
Pursuant to the written request of the appellant, the appeal filed on April 16, 2007, is dismissed. It is further ordered that the remittitur issue forthwith...
SCOTLAND, P.J.
- C053924 In re LUNA M.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. PHILLIP M., et al.**
BY THE COURT:
Appellants' petition for rehearing is denied.
ROBIE, Acting P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

2

The Minutes

July 10, 2007

MISC. ORDER 2007-013

BY THE COURT:

Associate Justice Fred Morrison is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on July 13, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

MISC. ORDER 2007-014

BY THE COURT:

Associate Justice Vance Raye is appointed to serve as Acting Presiding Justice to discharge the duties described in the California Rules of Court, rules 10.1004, 10.1012, and 10.1016, during the absence of the Presiding Justice from the court on July 17, 2007, through July 19, 2007, or until his return. (See Cal. Const., art. VI, §3.) The senior member of a panel of the court is designated the Acting Presiding Justice of that panel during the absence of the Presiding Justice.

SCOTLAND, P.J.

- | | | |
|----------------|---|------------------------------|
| C045750 | THE PEOPLE v. WRIGHT
The judgment is affirmed.
MORRISON, J.
We Concur: Scotland, P.J.
Cantil-Sakauye, J. | (Not for Publication) |
| C049858 | THE PEOPLE v. STANCLIFF
The judgment is affirmed.
BLEASE, Acting P.J.
We Concur: Morrison, J.
Robie, J. | (Not for Publication) |
| C052310 | THE PEOPLE v. SOTO
The judgment is affirmed.
DAVIS, Acting P.J.
We Concur: Hull, J.
Robie, J. | (Not for Publication) |

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

3

The Minutes

July 10, 2007, continued

- C052817 THE PEOPLE v. BOYLE (Not for Publication)**
The judgment is affirmed. The trial court is directed to amend the abstract of judgment to reflect the imposition of a \$100 drug program fee and send a certified copy of the amended abstract to the Department of Corrections and Rehabilitation.
HULL, J.
We Concur: Davis, Acting P.J.
Robie, J.
- C053101 THE PEOPLE v. GLOVER (Not for Publication)**
The judgment is affirmed.
NICHOLSON, Acting P.J.
We Concur: Raye, J.
Robie, J.
- C047548 VIVIAN et al. v. CEARLEY, SR., et al. (Not for Publication)**
The judgment is affirmed. The parties shall bear their own costs on appeal...
ROBIE, J.
We Concur: Sims, Acting P.J.
Hull, J.
- C047837 BRITTALIA VENTURES v. STUKE NURSERY CO., INC.
C048252
C049334 (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed. The order awarding attorney fees to Brittalía is reversed. Stuke is awarded its appellate costs in its attorney fee appeal.
DAVIS, Acting P.J.
We Concur: Robie, J.
Butz, J.
- C051407 CORRALES et al. v. BRADSTREET, AS LABOR COMMISSIONER, etc. (CERTIFIED FOR PUBLICATION)**
The judgment is (1) affirmed as the denial of relief for untimely processing and (2) reversed as to denial of relief regarding the precedent decision...
SIMS, Acting P.J.
We Concur: Hull, J.
Robie, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

4

The Minutes

July 10, 2007, continued

**C054875 In re BRYAN P., et al.; CALAVERAS COUNTY WORKS AND HUMAN
SERVICES AGENCY v. BRYAN P. (Not for Publication)**

The orders of the juvenile court are affirmed.

HULL, J.

We Concur: Sims, Acting P.J.

Butz, J.

C051988 THE PEOPLE v. BUFFINGTON (Certified for Partial Publication)

THE COURT:

It is ordered that the opinion filed herein on June 22, 2007, be modified...

BY THE COURT:

SCOTLAND, P.J.

ROBIE, J.

BUTZ, J.

July 11, 2007

C051589 THE PEOPLE v. WOLCOTT (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Nicholson, Acting P.J.

Hull, J.

C052847 THE PEOPLE v. BAKER (Not for Publication)

The judgment is affirmed.

MORRISON, J.

We Concur: Scotland, P.J.

Robie, J.

C053461 THE PEOPLE v. HENRY (Not for Publication)

The judgment is affirmed.

RAYE, J.

We Concur: Davis, Acting P.J.

Morrison, J.

C053516 THE PEOPLE v. TEASLEY III (Not for Publication)

The judgment is affirmed.

ROBIE, J.

I concur: Butz, J.

I concur in the result and write separately to explain the reasons why...

Hull, Acting P.J.

5

We Concur: Davis, Acting P.J.
Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

6

The Minutes

July 12, 2007, continued

- C053686 THE PEOPLE v. ADAMS (Not for Publication)**
The judgment is modified to impose an \$80 court security fee... As so Modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy of said abstract to the Department of Corrections and Rehabilitation.
RAYE, J.
We Concur: Davis, Acting P.J.
Morrison, J.
- C052177 MORONGO BAND OF MISSION INDIANS v. STATE WATER RESOURCES CONTROL BOARD (CERTIFIED FOR PUBLICATION)**
The judgment is affirmed. Morongo is awarded its costs on appeal...
BUTZ, J.
I concur: Scotland, P.J.
I respectfully dissent...
Robie, J.
- C054647 In re C.T. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH AND HUMAN SERVICES v. TAVIA S. (Not for Publication)**
The juvenile court's order is affirmed.
ROBIE, J.
We Concur: Davis, Acting P.J.
Morrison, J.
- C049842 THE PEOPLE v. BALLINGER**
BY THE COURT:
Appellant's petition for rehearing is denied.
SCOTLAND, P.J.
- C051471 THE PEOPLE v. BREWER, JR.**
BY THE COURT:
Appellant's petition for rehearing is granted. The decision filed on June 21, 2007, is vacated...
DAVIS, Acting P.J.
- C054306 THE PEOPLE v. PURDY**
BY THE COURT:
Pursuant to the written request of the appellant, the appeals filed on November 13, 2006, is dismissed. It is further ordered that the remittitur issue forthwith...
DAVIS, Acting P.J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

7

The Minutes

July 12, 2007, continued

C047837 BRITTALIA VENTURES v. STUKE NURSERY CO., INC.

C048252

C049334

(CERTIFIED FOR PUBLICATION)

THE COURT:

It is ordered that the opinion filed herein on July 10, 2007 be modified...

... The judgment is affirmed. The order awarding attorney fees to Brititalia is reversed. Brititalia is awarded its costs on appeal except as to those costs relating to the attorney fee appeal (C049334), which are awarded to Stuke. There is no change in the judgment.

BY THE COURT:

DAVIS, Acting P.J.

ROBIE, J.

BUTZ, J.

C054702 HINDU AMERICAN FOUNDATION v. STATE BOARD OF EDUCATION

BY THE COURT:

Pursuant to the written stipulation of counsel, the appeal filed on January 09, 2007, is dismissed...

SCOTLAND, P.J.

C056005 HUGHES v. CALIFORNIA STATE EMPLOYEES ASSOCIATION et al.

BY THE COURT:

The court examined the notice of appeal and determined the order appealed from is nonappealable. Therefore, the appeal filed on June 11, 2007, is dismissed...

DAVIS, Acting P.J.

July 13, 2007

C052465 THE PEOPLE v. ALVARADO (Not for Publication)

The judgment is modified... As so modified, the judgment is affirmed. The trial court is directed to prepare an amended abstract of judgment and to forward a certified copy to the Department of Corrections and Rehabilitation.

DAVIS, J.

We Concur: Blease, Acting P.J.

Morrison, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

8

The Minutes

July 13, 2007, continued

C055196 THE PEOPLE v. ARELLANO

BY THE COURT:

Appellant has been notified ... and has not filed the appellant's opening brief or requested the appointment of counsel. Therefore, the appeal filed on March 16, 2007, is dismissed.

MORRISON, Acting P.J.

C044653 VINEYARD AREA CITIZENS FOR RESPONSIBLE GROWTH, INC., et al. v. CITY OF RANCHO CORDOVA and SUNRISE DOUGLAS PROPERTY OWNERS ASSN. et al. (CERTIFIED FOR PUBLICATION)

THE COURT:

It is ordered that the opinion filed herein on June 13, 2007, be modified...

... This modification does not change the judgment.

The opinion was not certified for publication. For good cause it now appears that the opinion should be published in the Official Reports and it is so ordered.

... The petition for rehearing is denied.

FOR THE COURT:

DAVIS, Acting P.J.

RAYE, J.

MORRISON, J.

C048984 COUNTY OF IMPERIAL v. THE SUPERIOR COURT OF SACRAMENTO COUNTY and STATE WATER RESOURCES CONTROL BOARD et al. (CERTIFIED FOR PUBLICATION)

THE COURT:

It is ordered that the opinion filed herein on June 14, 2007, be modified...

... There is no change in the judgment.

Petitioner's petition for rehearing is denied.

BY THE COURT:

NICHOLSON, Acting P.J.

RAYE, J.

ROBIE, J.

C052260 BLUE CROSS OF CALIFORNIA v. DEPARTMENT OF HEALTH SERVICES and MOLINA HEALTHCARE OF CALIFORNIA (CERTIFIED FOR PUBLICATION)

The judgment is affirmed. Molina Healthcare shall recover its costs on appeal...

BLEASE, Acting P.J.

We Concur: Davis, J.

Raye, J.

**COURT OF APPEAL
STATE OF CALIFORNIA
THIRD APPELLATE DISTRICT**

9

The Minutes

July 13, 2007, continued

**C054215 In re MARIA H. et al.; SACRAMENTO COUNTY DEPARTMENT OF HEALTH
AND HUMAN SERVICES v. MARIE H. et al.
BY THE COURT:
 The appeals filed on November 14, 2006, and December 19, 2006, are
dismissed as moot.
 DAVIS, Acting P.J.**